

15263. Adulteration of canned salmon. U. S. v. 708 Cases, et al., of Salmon. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21958. I. S. Nos. 60-x, 62-x, 63-x, 12647-x. S. No. W-2159.)

On June 13, 1927, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 1,657 cases of canned salmon, remaining in the original unbroken packages at Alameda, Calif., alleging that the article had been shipped by the Red Salmon Canning Co., from Naknek, Alaska, on or about August 9, 1926, and transported from the Territory of Alaska into the State of California, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (can) "Red Crown Brand * * * Alaska Red Salmon * * * Frank B. Peterson Co., Agts., San Francisco, Cal."

It was alleged in the libel that the article was adulterated, in that it consisted wholly or in part of a filthy, decomposed, or putrid animal substance.

On June 28, 1927, the Frank B. Peterson Co., San Francisco, Calif., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the filing of a personal surety bond in the sum of \$8,500, conditioned in part that it be made to conform to and with the provisions of the law, under the direction of and to the satisfaction of this department.

W. M. JARDINE, *Secretary of Agriculture.*

15264. Adulteration of canned green beans and canned stringless beans. U. S. v. 943 Cases No. 2 Can Green Beans, 246 Cases No. 10 Can Green Beans, and 46 Cases Canned Stringless Beans. Tried to the court. Judgment for claimant regarding No. 2 cans; product ordered released. Judgment for Government regarding remainder; product ordered condemned, forfeited, and destroyed. (F. & D. Nos. 20670, 20671. I. S. Nos. 4254-x, 4255-x, 4257-x. S. Nos. C-4890, C-4891.)

On or about December 1, 1925, the United States attorney for the Northern District of Oklahoma, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels praying seizure and condemnation of 943 cases, each containing No. 2 size cans, of green beans, 246 cases, each containing No. 10 size cans, of green beans, and 46 cases of canned stringless beans, in part at Tulsa, Okla., and in part at Bartlesville, Okla., alleging that the article had been shipped by the Litteral Canning Co., Fayetteville, Ark., on or about September 29, 1925, and transported from the State of Arkansas into the State of Oklahoma, and charging adulteration in violation of the food and drugs act. The article was labeled variously: "Lorraine Brand Cut Green Beans," "5 Brothers Brand * * * Cut Green Beans," "Faycano Cut Stringless Beans * * * Packed by Litteral Canning Co., Fayetteville, Ark."

It was alleged in substance in the libels that the article was adulterated, and was unfit for human consumption as food, in that the said cans and containers contained putrid and decomposed matter.

On March 31, 1927, the Litteral Canning Co., Fayetteville, Ark., having appeared as claimant for the property and the two libels having been consolidated into one cause of action, the case came on for trial before the court without a jury. After the submission of evidence and arguments by counsel, the court handed down judgment for the claimant with reference to the No. 2 cans of the product and ordered that it be released. The court found that the evidence with reference to the No. 10 cans of the product was sufficient, and ordered that it be condemned and forfeited, and destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

15265. Adulteration of tomato paste. U. S. v. 103 Cases, et al., of Tomato Paste. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21532. I. S. Nos. 13431-x, 13432-x. S. No. E-5215.)

On January 17, 1927, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 437 cases and 109 cans of tomato paste, remain-